

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

RICKY RAY ROCKWELL,

Plaintiff,

v.

CIVIL ACTION NO. 3:14-9190

JOSEPH F. ADAMS, Assistant  
United States Attorney and  
TOM BEVINS, Special Agent DEA,

Defendants.

**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Plaintiff's Complaint (ECF No. 2) be denied; Plaintiff's Application to Proceed Without Prepayment of Fees and Costs (ECF No. 1) be denied; and this civil action be dismissed, without prejudice, and removed from the docket of this Court. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **DENIES** Plaintiff's Complaint (ECF No. 2); **DENIES** Plaintiff's Application to Proceed Without Prepayment of Fees and Costs (ECF No. 1); and **DISMISSES** this civil action, **without prejudice**, and **REMOVES** it from the docket of this Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: June 19, 2014

  
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ROBERT C. CHAMBERS, CHIEF JUDGE